

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America)

v.)

- 01 Jose Raul HURTADO) Case No. 7:19 mj 0181

YOB: 2000 USC)

- 02 Sonia RODRIGUEZ)

YOB: 1970 USC)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 25, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC § 952
 21 USC § 841

Knowingly and intentionally import into the United States from the United Mexican States approximately 9.08 kilograms of cocaine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 9.08 kilograms of cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See "Attachment A"

☒ Continued on the attached sheet.

Submitted by reliable electronic means, sworn to
 and attested to telephonically per Fed. R. Cr.4.1,
 and probable cause found on:

Quintin Moses

Complainant's signature

Quintin R Moses / HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/26/2019 - 1:56 P.M.City and state: McAllen, TX*Juan F. Alanis*

Judge's signature

Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

On January 25, 2019, Sonia RODRIGUEZ, a United States Citizen (USC) and RODRIGUEZ's son Jose Raul HURTADO, a USC, applied for admission into the United States (US) from Mexico at the US Customs and Border Protection (CBP) Anzalduas Port of Entry (POE Anzalduas) in a gold Nissan Sentra bearing Tamaulipas, Mexico license plate 886-TRM-9. During a primary inspection, RODRIGUEZ provided Customs and Border Protection Officers (CBPOs) a negative declaration. CBPOs referred RODRIGUEZ and HURTADO for a secondary inspection.

During a secondary inspection, RODRIGUEZ provided CBPOs a negative declaration for illicit drugs. RODRIGUEZ admitted she'd owned the Nissan Sentra for approximately six (6) years.

CBPOs utilized a Z-Portal to conduct an X-Ray scan of the Nissan Sentra. A scan of the vehicle revealed anomalies within the driver's seat of the Nissan Sentra. CBPOs utilized a CBP canine trained to detect the odor of drugs to search the Nissan Sentra. The CBP canine alerted to the presence of the odor of illicit drugs near the glove box and front seats of the Nissan Sentra. A search of the Nissan Sentra yielded in the discovery and seizure of eight (8) packages that contained a white powdery substance consistent with cocaine. The eight (8) packages weighed nine point zero eight (9.08) kilograms. Two (2) of the packages were concealed within the center console, two (2) of the packages were concealed in the passenger side glove box, two (2) of the packages were concealed within the rear of the driver's seat, and two (2) of the packages were concealed within the rear of the front passenger's seat. None of the packages were concealed within secret compartments and were immediately accessible to RODRIGUEZ and HURTADO. A field analysis of the white powdery substance yielded a positive result for the presence of cocaine.

Homeland Security Investigations, McAllen TX (HSI McAllen) Special Agent (S/A) Quintin Moses and S/A J. Michael Salinas responded to the POE Anzalduas to investigate the matter.

During an interview of RODRIGUEZ, RODRIGUEZ stated HURTADO was her son. RODRIGUEZ stated she and HURTADO were US citizens, but resided in Reynosa, Tamaulipas, Mexico. RODRIGUEZ stated in October 2018, HURTADO was in a three (3) car vehicular accident in Mexico. RODRIGUEZ stated one (1) of the vehicles involved in the accident was occupied by unknown persons who RODRIGUEZ stated were members of an unspecified Mexican cartel. RODRIGUEZ stated the unknown Mexican cartel members stole HURTADO's vehicle following the accident.

RODRIGUEZ stated an unknown male kidnapped her and HURTADO at gunpoint from their residence in Mexico approximately one week following HURTADO's accident. RODRIGUEZ stated unknown Mexican cartel members discovered her address because her address was listed on documents in HURTADO's stolen vehicle. RODRIGUEZ stated the unknown male who kidnapped them told her and HURTADO they owed a debt because HURTADO caused damaged to the Mexican cartel member's vehicle. RODRIGUEZ stated the unknown male told her she had to travel from Mexico to a mall in McAllen and meet an unknown male four (4) times to settle the debt owed. RODRIGUEZ stated the unknown male allowed her and HURTADO to leave following the kidnapping.

RODRIGUEZ stated on two (2) previous occasions an unknown male took possession of her vehicle in Mexico for brief periods, upon returning the vehicle, the unknown male instructed RODRIGUEZ to travel to McAllen. RODRIGUEZ stated she was instructed to drop off her vehicle to an unknown male at a shopping mall in McAllen. RODRIGUEZ stated she was escorted to the US/Mexico border on both occasions. RODRIGUEZ stated she was instructed to leave the keys in the vehicle upon her arrival to the shopping mall. RODRIGUEZ stated an unknown male met her at the shopping mall and took her vehicle for approximately three (3) hours. RODRIGUEZ stated she returned to Mexico once the vehicle was returned to her. RODRIGUEZ stated HURTADO traveled with her during said trips. RODRIGUEZ stated she was instructed not to mess with things within her car during the trips. RODRIGUEZ stated she suspected

ATTACHMENT A

she was crossing drugs into the US from Mexico, to include the smuggling event on January 25, 2019. RODRIGUEZ admitted she knew it was illegal to import drugs into the US from Mexico, and stated she completed the trips as instructed because it was her method of payment for damages HURTADO caused to the unknown Mexican cartel member's vehicle. RODRIGUEZ stated she wasn't getting paid to make the trips from Mexico to the US.

During an interview of HURTADO, HURTADO stated RODRIGUEZ was his mother. HURTADO stated he and RODRIGUEZ were US citizens but resided in Reynosa. HURTADO stated several months preceding the interview, an unknown male randomly kidnapped he and RODRIGUEZ from their residence in Mexico at gunpoint. HURTADO stated the unknown male kidnapped he and RODRIGUEZ for ten (10) hours. HURTADO stated he didn't know why the unknown male kidnapped them. HURTADO stated he'd never experienced any trouble with anyone in Mexico. HURTADO stated he was in a two (2) car accident in 2018, whereby a person ran a stop sign and hit his vehicle. HURTADO stated he ultimately sold the vehicle, because of the damage.

Upon being confronted with the presence of cocaine in the Nissan Sentra, HURTADO stated RODRIGUEZ participated in smuggling because people in Mexico threatened RODRIGUEZ, and that RODRIGUEZ participated in smuggling to protect HURTADO. HURTADO stated RODRIGUEZ told him they could get "killed" if he and RODRIGUEZ didn't follow the orders of the unknown male who kidnapped them. HURTADO stated when he saw CBP extract the packages from the vehicle, he suspected the packages were cocaine. HURTADO denied knowing the Nissan Sentra contained drugs on January 25, 2019.

Law enforcement records revealed RODRIGUEZ and HURTADO crossed into the US from Mexico twenty-nine (29) times between October 2018 and January 2019. Law enforcement records revealed RODRIGUEZ and HURTADO did not cross into the US without one another between October 2018 and January 2019, which include the two (2) aforementioned trips referenced by RODRIGUEZ.

During the interviews, HURTADO and RODRIGUEZ provided conflicting statements regarding the events preceding the drug smuggling event and possible reasons for said smuggling.

Based on the facts of the investigation, probable cause exists to believe Sonia RODRIGUEZ and Jose Raul HURTADO intentionally and knowingly unlawfully imported a controlled substance (cocaine) into the United States in violation of 21 USC § 952 – Importation of a Controlled Substance and intentionally and knowingly unlawfully possessed a controlled substance (cocaine) with intent to distribute in violation 21 USC § 841 – Possession with Intent to Distribute a Controlled Substance.